

## **MITIGATED NEGATIVE DECLARATION**

July 20, 2006

Project Name: Crocker Tentative Parcel Map

Project Number(s): TPM 20743, Log No. 03-14-028

**This Document is Considered Draft Until it is Adopted by the Appropriate  
County of San Diego Decision-Making Body.**

This Mitigated Negative Declaration is comprised of this form along with the Environmental Initial Study that includes the following:

- a. Initial Study Form
  - b. Environmental Analysis Form and attached extended studies for Biology, Cultural Resources, Hydrology and Stormwater.
1. California Environmental Quality Act Negative Declaration Findings:

Find, that this Mitigated Negative Declaration reflects the decision-making body's independent judgment and analysis, and; that the decision-making body has reviewed and considered the information contained in this Mitigated Negative Declaration and the comments received during the public review period; and that revisions in the project plans or proposals made by or agreed to by the project applicant would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur; and, on the basis of the whole record before the decision-making body (including this Mitigated Negative Declaration) that there is no substantial evidence that the project as revised will have a significant effect on the environment.
2. Required Mitigation Measures:

Refer to the attached Environmental Initial Study for the rationale for requiring the following measures:

## **DEPARTMENT OF PLANNING AND LAND USE (DPLU)**

Prior to issuance of grading permits or improvement plans, and prior to approval of the Parcel Map, the applicant shall:

- A. Grant to the County of San Diego and the California Department of Fish and Game an open space easement, or grant to the California Department of Fish and Game a conservation easement, as shown on the Open Space Exhibit dated September 2, 2005, on file with the Department of Planning and Land Use as Environmental Review Number 83-14-075A. This easement is for the protection of biological resources and prohibits all of the following on any portion of the land subject to said easement: grading; excavation; placement of soil, sand, rock, gravel, or other material; clearing of vegetation; construction, erection, or placement of any building or structure; vehicular activities; trash dumping; or use for any purpose other than as open space. Granting of this open space authorizes the County and its agents to periodically access the land to perform management and monitoring activities for the purposes of species and habitat conservation.

The sole exception to this prohibition is:

1. Selective clearing of vegetation by hand to the extent required by written order of the fire authorities for the express purpose of reducing an identified fire hazard. While clearing for fire management is not anticipated with the creation of this easement, such clearing may be deemed necessary in the future for the safety of lives and property. All fire clearing shall be pursuant to the Uniform Fire Code and the Memorandum of Understanding dated February 26, 1997, between the wildlife agencies and the fire districts, and any subsequent amendments thereto.
- B. Grant to the County of San Diego a Limited Building Zone Easement as shown on the Open Space Exhibit dated September 2, 2005, on file with the Department of Planning and Land Use as Environmental Review Number 83-14-075A. The purpose of this easement is to limit the need to clear or modify vegetation for fire protection purposes within the adjacent biological open space easement and prohibits the construction or placement of any structure designed or intended for occupancy by humans or animals. The only exceptions to this prohibition are:
1. Decking, fences, and similar facilities.

2. Sheds, gazebos, and detached garages, less than 250 square feet in total floor area, that are designed, constructed and placed so that they do not require clearing or fuel modification within the biological open space easement, beyond the clearing/fuel modification required for the primary structures on the property.

Prior to obtaining any building or grading permit, the applicant shall:

- C. Submit to the Director, Department of Planning and Land Use a signed, stamped statement from a California Registered Engineer, or licensed surveyor that temporary fences have been placed to protect from inadvertent disturbance all open space easements that do not allow grading, brushing or clearing. Temporary fencing is required in all locations of the project where proposed grading or clearing is within 100 feet of an open space easement boundary. The temporary fence location shall be identified in the field by a California Registered Engineer or licensed surveyor and positioned between the open space easement boundary and any area of proposed disturbance. All temporary fencing shall be removed only after the conclusion of such activity. The temporary fencing condition shall be released on a parcel-by-parcel basis.

Prior to occupancy of any dwelling unit and/or the conclusion of any grading activity, the applicant shall:

- D. Submit to the Director, Department of Planning and Land Use a signed, stamped statement from a California Registered Engineer, or licensed surveyor that permanent fences or walls have been placed to protect from inadvertent disturbance all open space easements that do not allow grading, brushing or clearing. Permanent fencing or walls are required in all locations of the project as shown on the Open Space Fencing and Signage Exhibit dated September 2, 2005, on file with the Department of Planning and Land Use as Environmental Review Number 83-14-075A. The permanent fence location(s) shall be identified in the field by a California Registered Engineer or licensed surveyor and positioned just outside of the open space easement. Photographs and a brief description of design and materials used shall be submitted with the statement from the California Registered Engineer. Construction materials and fence or wall design are subject to approval by the Department of Planning and Land Use. Minimum fence or wall height shall be four (4) feet. The permanent fencing condition shall be released on a parcel-by-parcel basis.

Prior to the approval of grading or improvement plans and prior to the approval of the Parcel Map, the applicant shall:

- E. Submit to the Director, Department of Planning and Land Use evidence that permanent signs have been placed to protect all Open Space Easements in accordance with on the Open Space Fencing and Signage Exhibit dated September 2, 2005, on file with the Department of Planning and Land Use as Environmental Review Number 83-14-075A. Evidence shall include photographs of a sign placed on the project site and a stamped, signed statement from a California Registered Engineer, or licensed surveyor that permanent signs have been placed on the open space easement boundaries in accordance with the requirements of this condition. The signs must be corrosion resistant, a minimum of 6" x 9" in size, on posts not less than three (3) feet in height from the ground surface, and must state the following:

**“Sensitive Environmental Resources**  
Disturbance Beyond this Point is Restricted  
by Easement

Information:

Contact County of San Diego, Department of Planning and Land Use  
Ref: 83-14-075A”

- F. Cause to be placed on grading and/ or improvement plans and on the Parcel Map, the following: “Restrict all brushing, clearing and/or grading such that none will be allowed within 500 feet of Engelmann oak woodland habitat during the breeding season of the raptors. This is defined as occurring between February 1 and June 1. The Director of Planning and Land Use may waive this condition, through written concurrence from the US Fish and Wildlife Service and the California Department of Fish and Game, that no raptor nests are present in the vicinity of the brushing, clearing or grading.”

Prior to issuance of a building permit, the applicant shall:

- G. Pay the Traffic impact Fee (TIF) to the County of San Diego.

3. Critical Project Design Elements That Must Become Conditions of Approval:

The following project design elements were either proposed in the project application or the result of compliance with specific environmental laws and regulations and were essential in reaching the conclusions within the attached Environmental Initial Study. While the following are not technically mitigation

measures, their implementation must be assured to avoid potentially significant environmental effects.

DEPARTMENT OF PUBLIC WORKS (DPW)

A. THE FOLLOWING CONDITIONS SHALL BE COMPLIED WITH BEFORE A PARCEL MAP IS APPROVED BY THE COUNTY OF SAN DIEGO, DEPARTMENT OF PUBLIC WORKS, AND FILED WITH THE COUNTY RECORDER OF SAN DIEGO COUNTY:

1. The Parcel Map shall show an accurate and detailed vicinity map.
2. ACCESS
  - a. The subdivider shall furnish to the County of San Diego, Department of Public Works, recorded documentation showing that the land division is connected to a publicly maintained road by an easement for road purposes. This easement shall be forty feet (40') wide as specified in Section 81.703(a)(2) and/or (b)(1), unless proof is furnished that a lesser width is applicable under Section 81.703(l)(1) of the County Code, and shall be for the benefit and use of the property being divided. Recordation data for said easement shall be shown on the Parcel Map. This requirement applies to off-site access to all proposed parcels.
3. SIGHT DISTANCE
  - a. Prior to recordation, have a registered civil engineer, a registered traffic engineer, or a licensed land surveyor provide a certified signed statement that physically, there is a minimum unobstructed sight distance in both directions along Harbison Canyon Road from Galloway Valley Road for the prevailing operating speed of traffic on Harbison Canyon Road. If the lines of sight fall within the existing public road right-of-way, the engineer or surveyor shall further certify that said lines of sight fall within the existing right-of-way and a clear space easement is not required. The engineer or surveyor shall further certify that the sight distance of adjacent driveways and street openings will not be adversely affected by this project. These certifications shall be approved to the satisfaction of the Director of Public Works.
4. PRIVATE ROAD EASEMENTS

- a. The Parcel Map shall show a thirty-eight foot (38') minimum radius offset cul-de-sac located in the vicinity of the northwest corner of Parcel 2, to the satisfaction of the Alpine Fire Protection District and the Director of Public Works.
- b. Prior to recording the Parcel Map, a registered civil engineer or a licensed land surveyor shall provide a signed statement that: "The private easement road, Galloway Valley Court, from Parcel 2 to Galloway Valley Lane has a minimum improved width of twenty feet (20') asphalt concrete and meets the Design Standards of Section 3.1(C) of the County Standards for Private Streets for one hundred one (100) or less trips and is constructed within the easement for the benefit of the land division." The engineer shall further certify that: "The road meets all other Sections of the County Standards for Private Streets."
- c. Prior to recording the Parcel Map, a registered civil engineer or a licensed land surveyor shall provide a signed statement that: "The private easement road, Galloway Valley Lane, from Galloway Valley Court to Galloway Valley Road has a minimum improved width of twenty feet (20') asphalt concrete and meets the Design Standards of Section 3.1(C) of the County Standards for Private Streets for one hundred one (101) to seven hundred fifty (750) trips and is constructed within the easement for the benefit of the land division." The engineer shall further certify that: "The road meets all other Sections of the County Standards for Private Streets."

5. FACILITY/UTILITY ARRANGEMENTS

- a. Where private easement roads are not being dedicated, or where each of the proposed parcels is not on a public street, the subdivider shall provide the County of San Diego, Director of Public Works, with letters from serving utility companies stating that arrangements satisfactory to the utility have been made to serve all parcels being created. No letter will be required from SBC/Pacific Bell.
- b. The subdivider shall comply with Section 66436 of the Government Code by furnishing to the County of San Diego,

Department of Public Works, a certification from each public utility and each public entity owning easements within the proposed land division stating that: (a) they have received from the subdivider a copy of the proposed Parcel Map; (b) they object or do not object to the filing of the Map without their signature.

6. FLOODING/DRAINAGE

- a. Lines of inundation to the limits of the 100 year flood along the watercourse, which flow through the property, shall be shown and labeled "Subject To Inundation By The 100 Year Flood" on the Parcel Map.

- (1) The subdivider's civil engineer will provide the necessary hydrology and hydraulics to define the 100 year floodplain limits and annotate the limits on a copy of the Tentative Parcel Map, approved by the County of San Diego, Director of Planning and Land Use. Each parcel shall have a flood free building site to the satisfaction of the County of San Diego, Director of Public Works. If any of the parcels are found to be devoid of a buildable, flood free site for a residence, the subdivider shall take appropriate action so that each parcel does have a buildable flood free site. This pertains to watersheds having area of twenty five (25) or more acres.

- C. THE FOLLOWING IMPROVEMENTS MAY BE COMPLETED PRIOR TO RECORDING OF A PARCEL MAP OR THEY MUST BE LISTED ON THE PARCEL MAP AND THE SUBDIVIDER SHALL EXECUTE A "COVENANT OF IMPROVEMENT REQUIREMENTS" WHICH SHALL LIST THE CONDITIONS THAT REMAIN TO BE COMPLETED. THE COVENANT SHALL BE RECORDED BY THE COUNTY OF SAN DIEGO, DEPARTMENT OF PUBLIC WORKS, PRIOR TO RECORDING THE PARCEL MAP. THE COVENANT SHALL BE NOTED ON THE PARCEL MAP.

(IMPROVEMENT PLANS AND COST ESTIMATES ARE NOT DEFERRABLE)

THE COVENANT OF IMPROVEMENT REQUIREMENTS SHALL NOTE THE ESTIMATE OF COST TO INSTALL AND/OR CONSTRUCT ANY

DEFERRED IMPROVEMENTS. THE ESTIMATE OF COST SHALL BE BASED UPON IMPROVEMENT PLANS. THE PLANS SHALL INCLUDE A SIGNED STATEMENT BY THE PRIVATE ENGINEER-OF-WORK STATING THAT THE PLANS ARE SUFFICIENT FOR THE PURPOSE OF PROVIDING THE REQUIRED ESTIMATE OF THE COST FOR THE PRIVATE EASEMENT ROADS AND PRIVATE FACILITIES. THE ESTIMATE SHALL HAVE THE ENGINEER'S SIGNATURE AND STAMP ON THE FRONT PAGE ALONG WITH A STATEMENT THAT IT IS THE ENGINEER'S ESTIMATE OF THE APPROXIMATE COST AS OF THE DATE THE ESTIMATE WAS PREPARED FOR THE PRIVATE ROAD AND FACILITIES REQUIRED BY THE FINAL NOTICE OF APPROVAL AND THE SAN DIEGO COUNTY STANDARDS FOR PRIVATE STREETS. SAID COVENANT SHALL BE TITLED "COVENANT OF IMPROVEMENT REQUIREMENT, A BUILDING PERMIT PROHIBITION".

IF THE COVENANT HAS BEEN RECORDED, NO BUILDING PERMIT AND NO FURTHER GRANT OF APPROVAL FOR DEVELOPMENT MAY BE ISSUED UNTIL THE SUBDIVIDER PRESENTS A COPY OF THE RELEASE OF IMPROVEMENT REQUIREMENTS RECORDED BY THE DEPARTMENT OF PUBLIC WORKS, STATING THAT ALL OF THE REQUIRED IMPROVEMENTS LISTED IN THE COVENANT OF IMPROVEMENT REQUIREMENTS AND NOTED ON THE PARCEL MAP HAVE BEEN COMPLIED WITH, EXCEPT A GRADING OR CONSTRUCTION PERMIT AND/OR A PERMIT TO INSTALL UTILITIES WITHIN THE PRIVATE EASEMENT MAY BE ISSUED. (NOTE: FOR WATER STORAGE FACILITIES AND/OR FUEL BREAKS, A RELEASE OF IMPROVEMENT REQUIREMENTS IS ONLY REQUIRED TO STATE THAT THE IMPROVEMENTS HAVE BEEN COMPLIED WITH FOR THE PARTICULAR PARCEL FOR WHICH A BUILDING PERMIT IS BEING REQUESTED.) [DPW] [DPLU]

1. PRIVATE ROAD IMPROVEMENTS

- a. In the event these improvements are deferred, the subdivider shall execute such documents as deemed necessary by the County of San Diego, Director of Public Works, indemnifying the County from liability arising from the improvement of any off-site easement. This indemnification shall also be noted on the Parcel Map.
- b. The offset cul-de-sac shall be graded to a radius of thirty-eight feet (38') and improved with asphalt concrete to a



radius of thirty-six feet (36'), to the satisfaction of the Alpine Fire Protection District and the Director of Public Works.

- c. Plans and a processing deposit for the private road improvements, as determined by the County of San Diego, Department of Public Works, shall be submitted to the Improvements and Grading Group of the County of San Diego, Department of Public Works. All improvement plans shall be designed in accordance with County Standards for Private Roads (approved June 30, 1999).
- d. Prior to construction of private road improvements, the subdivider shall notify the County of San Diego, Department of Public Works, submit copies of the blue-line plans, and post an inspection deposit.
- e. A street name sign, with a County approved street name, shall be installed and located at the intersection of Galloway Valley Road and Galloway Valley Lane per San Diego County Design Standards DS 13.
- f. A street name sign, with a County approved street name, shall be installed and located at the intersection of Galloway Valley Lane and Galloway Valley Court per San Diego County Design Standards DS 13.
- g. A registered civil engineer or a licensed land surveyor shall provide a signed statement that: "The cul-de-sac, is constructed entirely within the easements, including drainage structures, for the benefit of the land division." NOTE: If the slopes for the improvement fall outside of the easements, mitigating structures shall be utilized so the improvement is within the easements or slope rights/a letter of permission shall be obtained/granted and the engineer or surveyor shall further certify that: "Slope rights/a letter of permission has been obtained/granted for work outside of the easement limits."

- h. The structural section for the cul-de-sac shall be approved by the County of San Diego, Department of Public Works Materials Laboratory, prior to construction per Section 3.11 of the San Diego County Standards for Private Roads.
- i. Asphalt concrete surfacing material shall be hand-raked and compacted to form smooth tapered connections along all edges including those edges adjacent to soil. The edges of asphalt concrete shall be hand-raked at 45 degrees or flatter, so as to provide a smooth transition next to existing soil, including those areas scheduled for shoulder backing. The above shall be done to the satisfaction of the Director of Public Works. NOTE: This applies to the cul-de-sac.

D. OTHER REQUIREMENTS

- 1. The Basis of Bearings for the Parcel Map shall be in terms of the California Coordinate System Zone 6 NORTH AMERICAN DATUM OF 1983 by use of existing Horizontal Control. To be in compliance with the Public Resources Code, all (Parcel) or (Subdivision) Map surveys performed after January 1, 2000 must use a Basis of Bearings established from existing Horizontal Control Stations with first order accuracy.
- 2. Prior to January 1, 2000, a survey for any Parcel Map that is to be based on state plane coordinates shall show two measured ties from the boundary of the subject property to existing Horizontal Control station(s) having California coordinate values of Third order accuracy or better, as published in the County of San Diego's Horizontal Control book. These tie lines to the existing control shall be shown in relation to the California Coordinate System (i.e. Grid bearings and Grid distances). All other distances shown on the map are to be shown as ground distances. A combined factor for conversion of Ground-to-Grid distances shall be shown on the map, all to the satisfaction of the County of San Diego, Director of Public Works (Refer to San Diego County Subdivision Ordinance Section 81.811 and 81.506(j)).

After December 31, 1999, a survey for any Parcel Map that is to be based on state plane coordinates shall show two measured ties from the boundary of the subject property to existing Horizontal Control station(s) having California Coordinate values of first order accuracy or better, as published in the County of San Diego's

Horizontal Control book. These tie lines to the existing control shall be shown in relation to the California Coordinate System (i.e. Grid bearings and Grid distances). All other distances shown on the map are to be shown as Ground distances. A combined factor for conversion of Grid-to-Ground distances shall be shown on the map. For purposes of this section, the date of survey for the field observed connections shall be the date of survey as indicated in the surveyor's / engineer's certificate as shown on the final map.

3. Comply with all applicable stormwater regulations at all times. The activities proposed under this application are subject to enforcement under permits from the San Diego Regional Water Quality Control Board (RWQCB) and the County of San Diego Watershed Protection, Stormwater Management, and Discharge Control Ordinance (Ordinance No. 9424 and Ordinance No. 9426) and all other applicable ordinances and standards. This includes requirements for materials and wastes control, erosion control, and sediment control on the project site. Projects that involve areas greater than 5 acres require that the property owner keep additional and updated information onsite concerning stormwater runoff. This requirement shall be to the satisfaction of the Director of Public Works.

**ADOPTION STATEMENT:** This Negative Declaration was adopted and above California Environmental Quality Act findings made by the:

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on \_\_\_\_\_

JOSEPH FARACE, Planning Manager  
Regulatory Planning Division

JF:GW:jcr

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